

AMENDED IN SENATE SEPTEMBER 7, 2007

AMENDED IN SENATE JULY 9, 2007

AMENDED IN ASSEMBLY MAY 2, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 76

Introduced by Assembly Member Lieber

December 4, 2006

An act to add Chapter 5 (commencing with Section 3430) to Title 2 of Part 3 of the Penal Code, relating to inmates.

LEGISLATIVE COUNSEL’S DIGEST

AB 76, as amended, Lieber. Corrections: female inmates.

Existing law provides for the care and custody of female inmates under the jurisdiction of the Department of Corrections and Rehabilitation.

This bill would require the department to undertake various tasks related to female offenders, including creating a Female Offender Reform Master Plan, creating policies and practices designed to ensure a safe and productive institutional environment for female offenders, contracting for specified services related to female offenders, creating a gender responsive female classification system and staffing pattern, designing and implementing evidence-based gender specific rehabilitative programs, and establishing a family service coordinator at each female prison. The bill would prohibit the department from converting certain existing women’s prisons into facilities to house male inmates without legislative approval. The bill would express the intent of the Legislature to reduce crime and recidivism, improve access to rehabilitative programs, break the intergenerational cycle of

incarceration, create a therapeutic community within women's ~~prison~~ *prisons*, and dedicate adequate space for programming needs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5 (commencing with Section 3430) is
2 added to Title 2 of Part 3 of the Penal Code, to read:

3
4 CHAPTER 5. GENDER RESPONSIVE PROGRAMS
5

6 3430. The Department of Corrections and Rehabilitation shall
7 do all of the following:

8 (a) Create a Female Offender Reform Master Plan, and shall
9 present this plan to the Legislature by March 1, 2008.

10 (b) Create policies and operational practices that are designed
11 to ensure a safe and productive institutional environment for female
12 offenders.

13 (c) Contract with nationally recognized gender responsive
14 experts in prison operational practices staffing, classification,
15 substance abuse, trauma treatment services, mental health services,
16 transitional services, and community corrections to do both of the
17 following:

18 (1) Conduct a staffing analysis of all current job classifications
19 assigned to each prison that houses only females. The department
20 shall provide a plan to the Legislature by March 1, 2009, that
21 incorporates those recommendations and details the changes that
22 are needed to address any identified unmet needs of female inmates.

23 (2) Develop programs and training for department staff in
24 correctional facilities.

25 (d) Create a gender responsive female classification system.

26 (e) Create a gender responsive staffing pattern for female
27 institutions and community-based offender beds.

28 (f) Create a needs-based case and risk management tool designed
29 specifically for female offenders. This tool shall include, but not
30 be limited to, an assessment upon intake, and annually thereafter,
31 that gauges an inmate's educational and vocational needs, including
32 reading, writing, communication, and arithmetic skills, health care
33 needs, mental health needs, substance abuse needs, and

1 trauma-treatment needs. The initial assessment shall include
2 projections for academic, vocational, health care, mental health,
3 substance abuse, and trauma-treatment needs, and shall be used
4 to determine appropriate programming and as a measure of progress
5 in subsequent assessments of development.

6 (g) Design and implement evidence-based gender specific
7 rehabilitative programs ~~and housing strategies that do not add~~
8 ~~capacity~~, including “wraparound” educational, health care, mental
9 health, vocational, substance abuse and trauma treatment programs
10 that are designed to reduce female offender recidivism. ~~This~~ *These*
11 programs shall include, but not be limited to, educational programs
12 that include academic preparation in the areas of verbal
13 communication skills, reading, writing, arithmetic, and the
14 acquisition of high school diplomas and GEDs, and vocational
15 preparation, including counseling and training in marketable skills,
16 and job placement information.

17 (h) Build and strengthen systems of family support and family
18 involvement during the period of the female’s incarceration.

19 (i) Establish a family service coordinator at each prison that
20 houses only females.

21 SEC. 2. (a) The Department of Corrections and
22 Rehabilitationshall not convert any of the following facilities that
23 most recently ~~has~~ *have* been used to house female inmates into a
24 facility used to house male inmates, without first obtaining
25 legislative approval: Valley State Prison for Women in Chowchilla,
26 the Central California Women’s Facility in Chowchilla, and the
27 California Institution for Women in Corona.

28 (b) In considering whether or not to approve a proposed
29 conversion, the Legislature shall take into account the institution’s
30 proximity to urban areas and access to community involvement
31 and volunteer services, among other relevant criteria.

32 SEC. 3. It is the intent of the Legislature in adopting this
33 measure to do all of the following:

- 34 (a) Reduce crime and recidivism.
35 (b) Improve access to rehabilitative programs.
36 (c) Break the intergenerational cycle of incarceration.
37 (d) Create a therapeutic environment within existing women’s
38 institutions.

- 1 (e) Dedicate adequate space for educational and vocational
- 2 programming needs.

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